



BOARD OF CERTIFIED REPORTERS

Arizona State Courts Building
1501 West Washington Street, Phoenix, Arizona 85007
Hearing Room 109
1:00 P.M.
October 9, 2012

Approved Regular Meeting Minutes

MEMBER ATTENDANCE:

Present:

G. Allen Sonntag
Judge Peter Swann
J. Tyrrell Taber
Patricia Calabro

Telephonically Present:

Terri Faust
Patricia Seguin

Absent:

Judge Edward Bassett
Cheryl Austin
Kathleen Montalvo

OTHER ATTENDEES:

AOC Staff:

Mark Wilson
Linda Grau
Kimberly Siddall
Debbie MacDougall
Anne Hunter
Rick Sczerbicki
Jennifer Greene
Wendy Reiter
Arnita Oliver

Guests:

CALL TO ORDER

Called to Order By:

Allen Sonntag

Time:

1:13 P.M.

1) REVIEW AND APPROVAL OF MINUTES:

1-A: Review and approval of regular minutes for the meeting August 14, 2012.

Individual Addressing the Board: Allen Sonntag

Discussion: No discussion.

Motion: Move to approve regular minutes for the meeting of August 14, 2012.

Motion Proposals: First Patricia Calabro
Second Judge Peter Swann

Motion Results: Pass

1-B: Review and approval of executive minutes for the meeting of August 14, 2012

Individual Addressing the Board: Allen Sonntag

Discussion: No discussion.

Motion: Move to approve executive minutes for the meeting of August 14, 2012.

Motion Proposals: First Patricia Seguin
Second Patricia Calabro

Motion Results: Pass

2) PENDING COMPLAINTS:

2-A: Review, discussion and possible action regarding the following certificate holder complaints:

- 1. Complaint Number 10-C001 – Patricia Yerkes*
- 2. Complaint Number 10-C002 – Laura Ashbrook*

Individual Addressing the Board: Linda Grau

Discussion: **Complaint Number 10-C001** – Patricia Yerkes – On August 14, 2012, the Board offered Yerkes an opportunity to resolve the pending formal disciplinary action by way of Consent Agreement. The proposed Consent Agreement was forwarded to Yerkes in September within the timeframe provided for in the board's order.

Yerkes signed and returned it for the board's review and consideration. She provided a transcript of course work that was completed and the educational requirements as well as the assessed costs.

It is recommended the Board accept and enter the proposed Consent Agreement and authorize the Chair to sign the agreement on behalf of the full Board.

Motion: Move to accept staff's recommendation.

Motion Proposals: First Tyrell Taber
Second Judge Peter Swann
Recused Patricia Calabro

Motion Results: Pass

Discussion: **Complaint Number 10-C002** – Laura Ashbrook – On August 14, 2012, the Board offered Ashbrook an opportunity to enter a Consent Agreement to resolve a formal disciplinary action. Ashbrook did sign and return the Consent Agreement for the Board's review and consideration. She provided a transcript of course work that was completed and the educational requirements as well as the assessed costs.

It is recommended the Board accept and enter the proposed Consent Agreement and authorize the Chair to sign the agreement on behalf of the full Board.

Motion: Move to accept staff's recommendation.

Motion Proposals: First Tyrell Taber
Second Judge Peter Swann

Motion Results: Pass

2-B: *Report regarding the status of pending complaints.*

Individual Addressing the Board: Linda Grau

Discussion: Brief discussion on pending complaints: As of August 31, 2012, there are a total of three pending complaints, all involving actively certified reporters. The two oldest open complaints are recommended for dispositive action in Agenda Item 2-A. There is one complaint remaining that is under investigation.

3) ADMINISTRATIVE ISSUES:

3-A: *Request to address and discuss advisory opinions.*

Individual Addressing the Board: Debbie MacDougall

Discussion: Brief discussion among the board members regarding advisory opinions.

It was recommended by Tyrrell Taber that an Ethics Advisory Committee be formed and that the matter be submitted to AOC Director Byers without any recommendations as to how the Advisory Committee should be set up.

Motion: Move to accept the Board's recommendation and request that the issue be placed on the December agenda.

Motion Proposals: First Tyrrell Taber
Second Judge Peter Swann

Motion Results: Pass

3-B: *Discussion and possible action regarding future proposed code changes.*

Individual Addressing the Board: Mark Wilson

Discussion: Brief discussion among the Board, Jennifer Greene and Mark Wilson regarding possible action regarding future proposed code changes.

The Board requests that they receive advice of counsel at the December board meeting with respect to this issue.

4) INITIAL CERTIFICATION AND ELIGIBILITY

4-A: *Review, discussion and possible action regarding pending initial certification applications for the following applications:*

1. Theresa Salsberry
2. Kelly Olhausen
3. Maria Arnold
4. Windy Picard

5. *Wendy Weiss*

Individuals Addressing the Board: Kimberly Siddall

Discussion: It is recommended to grant initial certification to:

- (1) - *Theresa Salsberry*

Motion: Move to grant initial certification to Theresa Salsberry.

Motion Proposals: First Tyrrell Taber
Second Patricia Seguin

Motion Results: Pass

Discussion: It is recommended to grant initial certification to:

- (4) - *Windy Picard*

Motion: Move to grant initial certification to Windy Picard.

Motion Proposals: First Tyrrell Taber
Second Judge Peter Swann

Motion Results: Pass

Discussion: It is recommended the Board invite *Wendy Weiss* to the next board meeting for an informal interview.

Motion: Move to invite Wendy Weiss to the next board meeting for an informal interview.

Motion Proposals: First Tyrrell Taber
Second Judge Peter Swann

Motion Results: Pass

Discussion: It is recommended to defer to the next meeting:

- (2) - *Kelly Olhausen*
- (3) - *Marla Arnold*

5) **CERTIFICATION AND ELIGIBILITY**

5-A: *Review, discussion, and possible action regarding Voluntary Surrender request received from certified reporter Kristin Woodall, certificate number 50196.*

Individuals Addressing the Board: Kimberly Siddall

Discussion: It is recommended the Board accept Kristin Woodall's Voluntary Surrender request of certificate number 50196.

Motion: Move to accept staff's recommendation.

Motion Proposals: First Tyrrell Taber
Second Judge Peter Swann

Motion Results: Pass

CALL TO THE PUBLIC

Allen Sonntag

Individuals Addressing the Board:

- Julie Ottmar
- John MacDonald
- Mary Meyers

ADJOURNMENT

Motion: Move to adjourn.

Motion Proposals: First Judge Peter Swann
Second Allen Sonntag

Motion Results: Pass

Time: 2:26 P.M.

AO